

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

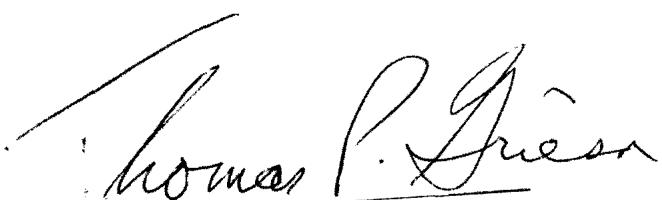
-----x
MAHMUT BOZKURT, :
Plaintiff, : 09 Civ. 9527 (TPG)
: **OPINION**
- against - :
UNITED STATES POSTAL SERVICE and :
THE NATIONAL ASSOCIATION OF :
LETTER CARRIERS, :
: Defendants.
-----x

This is a labor law claim against the U.S. Postal Service (“USPS”) for breach of its collective bargaining agreement with the National Association of Letter Carriers (“NALC”), and against NALC for breach of its duty of fair representation.

USPS and NALC both move for summary judgment. However, the court believes that there are factual issues for trial, including whether the whole discipline and grievance process grew out of an improper order by plaintiff’s superior.

The motions for summary judgment are denied. This disposes of the motions listed as document numbers 11 and 15 in this case.

Dated: New York, New York
August 30, 2011



Thomas P. Griesa
U.S. District Judge

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/30/2011